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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/850,333	05/07/2001	Hiroshi Sakurai	NAK1-B071	2524

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EXAMINER

PATEL, ASHOK

ART UNIT PAPER NUMBER

2879

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/850,333

Applicant(s)

SAKURAI ET AL.

Examiner

Ashok Patel

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 12-18 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☒ Claim(s) 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2879

1. Applicant's election with traverse of Group I, claims 1-11, in Paper No. 5, is acknowledged. The traversal is on the ground(s) that claims 13-18 are essentially same as claims 1-11 with only difference being a preamble in claim 13. This is not found persuasive because the inventions I and III are combination and sub-combinations as mentioned in the restriction requirement. Applicant has not challenged Examiner's distinctness of combination with sub-combination. As mentioned in the restriction requirement, the CRT does not require the claimed glass bulb. The glass bulb has its own separate utility. The requirement is still deemed proper and is therefore made FINAL. Claims 12-18 are withdrawn from consideration. An action on merits including claims 1-11 is as follows.

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Art Unit: 2879

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 11 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Harris (U.S.P. 2,160,434).

Harris discloses applicant's claimed glass bulb including: a panel unit (12); a neck unit (13), wherein the panel and neck units are bridged by the funnel unit, and wherein physically strengthened glass is used in at least part of the funnel unit. The Examiner interprets any regular CRT bulb glass as "physically strengthened glass". The term "strengthened" is a relative term.

5. Claim 11 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Strauss (U.S.P. 4,656,388).

See Figure 1-4, wherein Strauss discloses applicant's claimed glass bulb for a CRT including a panel unit and a neck unit bridged by a funnel unit. The Examiner again interprets

Art Unit: 2879

glass of Staruss's funnel unit as a "physically strengthened glass" for reasons recited in previous paragraph.


6. Claims 1-10 are in the condition for allowance since prior art of record does not disclose applicant's claimed glass bulb for a CRT including a panel unit having a panel screen; a neck unit holding an electron gun; and a funnel unit having a funnel-like shape, wherein the panel unit and the neck unit are bridged by the funnel unit, wherein the funnel unit is formed from a plurality of glass members, the plurality of glass members including at least a first glass member on a panel side unit and a second glass member on a neck unit side; and a maximum-to-minimum thickness ratio of each of the plurality of glass members is designed to be within a range suitable for producing the plurality of glass members using pressing, the maximum-to-minimum thickness ratio being a ratio of thickness of a thickest portion to thickness of a thinnest portion.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok Patel whose telephone number is 703-305-4934. The examiner can normally be reached on Monday-Thursday.

Art Unit: 2879

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 703-305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7382 for regular communications and 703-308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.


Ashok Patel
Primary Examiner
Art Unit 2879